

PTO/SB/21 (08-03)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/656,166	
	Filing Date	September 8, 2003	
	First Named Inventor	Mitsugu Sato	
	Art Unit	N/A	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	1	Attorney Docket Number	H6808.0023/P023

**ENCLOSURES (Check all that apply)**

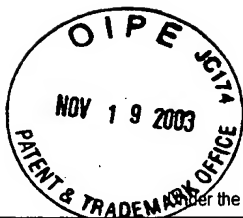
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Combined Declaration and Power of Attorney</b>
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP Mark J. Thronson (33,082)
Signature	
Date	November 19, 2003



<h1 style="margin:0;">FEE TRANSMITTAL</h1> <h2 style="margin:0;">for FY 2004</h2> <p style="font-size: small; margin: 0;">Effective 10/01/2003, Patent fees are subject to annual revision.</p>		<b>Complete if Known</b>																																																																																																																																																																																																																																																																																																																	
<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</div> <div style="display: flex; justify-content: space-between;"><div><b>TOTAL AMOUNT OF PAYMENT</b></div><div><b>(\$)</b> 40.00</div></div>		Application Number	10/656,166																																																																																																																																																																																																																																																																																																																
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<div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><b>METHOD OF PAYMENT</b> (check all that apply)<div style="display: flex; justify-content: space-between; margin-top: 5px;"><div><input type="checkbox"/> Check</div><div><input checked="" type="checkbox"/> Credit Card</div><div><input type="checkbox"/> Money Order</div><div><input type="checkbox"/> Other</div><div><input type="checkbox"/> None</div></div><div style="margin-top: 5px;"><input checked="" type="checkbox"/> Deposit Account:<div style="border: 1px solid black; padding: 2px; margin-top: 2px;">04-1073</div><div style="border: 1px solid black; padding: 2px; margin-top: 2px;">Dickstein Shapiro Morin &amp; Oshinsky LLP</div></div><div style="margin-top: 5px;"><b>The Director is authorized to:</b> (check all that apply)<div style="display: flex; justify-content: space-between; margin-top: 2px;"><div><input checked="" type="checkbox"/> Charge fee(s) indicated below</div><div><input checked="" type="checkbox"/> Credit any overpayments</div></div><div style="margin-top: 2px;"><input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)</div><div style="margin-top: 2px;"><input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.</div></div></div><div style="width: 50%;"><b>FEE CALCULATION</b> (continued)<div style="margin-top: 10px;"><b>3. ADDITIONAL FEES</b><table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th rowspan="2">Fee Description</th><th rowspan="2">Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th></tr></thead><tbody><tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr><tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr><tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr><tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr><tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr><tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr><tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr><tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr><tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40.00</td></tr><tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr><tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37CFR 1.129(b))</td><td></td></tr><tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="6">Other fee (specify) _____</td></tr><tr><td colspan="6">*Reduced by Basic Filing Fee Paid</td></tr><tr><td colspan="5"><b>SUBTOTAL (3)</b></td><td><b>(\$)</b> 40.00</td></tr></tbody></table></div><div style="margin-top: 10px;"><b>1. 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EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b><table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th rowspan="2">Fee Description</th><th rowspan="2">Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th></tr></thead><tbody><tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr><tr><td>1201</td><td>86</td><td>2201</td><td>43</td><td>Independent claims in excess of 3</td><td></td></tr><tr><td>1203</td><td>290</td><td>2203</td><td>145</td><td>Multiple dependent claim, if not paid</td><td></td></tr><tr><td>1204</td><td>86</td><td>2204</td><td>43</td><td>** Reissue independent claims over original patent</td><td></td></tr><tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr><tr><td colspan="5"><b>SUBTOTAL (2)</b></td><td><b>(\$)</b> 0.00</td></tr></tbody></table><p style="font-size: x-small; margin-top: 5px;">**or number previously paid, if greater; For Reissues, see above</p></div></div></div><div style="margin-top: 10px;"><b>SUBMITTED BY</b><table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"><thead><tr><th colspan="2"></th><th colspan="2" style="text-align: right;">(Complete if applicable)</th></tr></thead><tbody><tr><td style="width: 20%;">Name (Print/Type)</td><td>Mark J. Thronson</td><td style="width: 20%;">Registration No. (Attorney/Agent)</td><td>33,082</td></tr><tr><td>Signature</td><td></td><td>Telephone</td><td>(202) 775-4742</td></tr><tr><td></td><td></td><td>Date</td><td>November 18, 2003</td></tr></tbody></table></div></div> <div data-bbox="188 1990 409 2016" data-label="Page-Footer"><p>1693212 v1; 10@H_011.DOC</p></div>				Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	420	2252	210	Extension for reply within second month		1253	950	2253	475	Extension for reply within third month		1254	1,480	2254	740	Extension for reply within fourth month		1255	2,010	2255	1,005	Extension for reply within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,330	2453	665	Petition to revive - unintentional		1501	1,330	2501	665	Utility issue fee (or reissue)		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40.00	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))		1810	770	2810	385	For each additional invention to be examined (37CFR 1.129(b))		1801	770	2801	385	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application		Other fee (specify) _____						*Reduced by Basic Filing Fee Paid						<b>SUBTOTAL (3)</b>					<b>(\$)</b> 40.00	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1001	770	2001	385	Utility filing fee		1002	340	2002	170	Design filing fee		1003	530	2003	265	Plant filing fee		1004	770	2004	385	Reissue filing fee		1005	160	2005	80	Provisional filing fee		<b>SUBTOTAL (1)</b>					<b>(\$)</b> 0.00	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1202	18	2202	9	Claims in excess of 20		1201	86	2201	43	Independent claims in excess of 3		1203	290	2203	145	Multiple dependent claim, if not paid		1204	86	2204	43	** Reissue independent claims over original patent		1205	18	2205	9	** Reissue claims in excess of 20 and over original patent		<b>SUBTOTAL (2)</b>					<b>(\$)</b> 0.00			(Complete if applicable)		Name (Print/Type)	Mark J. 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Name (Print/Type)	Mark J. Thronson	Registration No. (Attorney/Agent)	33,082																																																																																																																																																																																																																																																																																																																
Signature		Telephone	(202) 775-4742																																																																																																																																																																																																																																																																																																																
		Date	November 18, 2003																																																																																																																																																																																																																																																																																																																



## Declaration and Power of Attorney for Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

私は、以下に記名された発明者として、ここに下記の通り宣言する : As a below named inventor, I hereby declare that:

私の住所、郵便の宛先そして国籍は、私の氏名の後に記載された通りである。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明について、特許請求範囲に記載され、且つ特許が求められている発明主題に関して、私は、最初、最先且つ唯一の発明者である（唯一の氏名が記載されている場合）か、或いは最初、最先且つ共同発明者である（複数の氏名が記載されている場合）と信じている。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

CHARGED PARTICLE BEAM APPARATUS AND

CHARGED PARTICLE BEAM IRRADIATION METHOD

上記発明の明細書はここに添付されているが、下記の欄がチェックされている場合は、この限りでない :

The specification of which is attached hereto unless the following box is checked:

☐ \_\_\_\_\_ に日に出願され、  
この出願の米国出願番号または PCT 国際出願番号は、  
\_\_\_\_\_ であり、且つ  
\_\_\_\_\_ の日に補正された出願（該当する場合）

☒ was filed on 8/September/2003  
as United States Application Number or  
PCT International Application Number  
10/656,166 and was amended on  
\_\_\_\_\_ (if applicable).

私は、上記の補正書によって補正された、特許請求範囲を含む上記明細書を検討し、且つ内容を理解していることをここに表明する。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第 37 編規則 1.56 に定義されている、特許性について重量な情報を開示する義務があることを認める。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Japanese Language Declaration  
(日本語宣言書)

私は、ここに、以下に記載した外国での特許出願または発明者証の出願、或いは米国以外の少なくとも一国を指定している米国法典第35編第365条(a)によるPCT国際出願について、同第119条(a)-(d)項又は第365条(b)項に基づいて優先権を主張するとともに、優先権を主張する本出願の出願日より前の出願日を有する外国での特許出願または発明者証の出願、或いはPCT国際出願については、いかなる出願も、下記の枠内をチェックすることにより示した。

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application for which priority is claimed.

Prior Foreign Application(s)  
外国での先行出願

Priority Not Claimed  
優先権主張なし

2002-265842  
(Number)  
(番号)

Japan  
(Country)  
(国名)

11/September/2002  
(Day/Month/Year Filed)  
(出願日/月/年)

☐

2003-305267  
(Number)  
(番号)

Japan  
(Country)  
(国名)

28/August/2003  
(Day/Month/Year Filed)  
(出願日/月/年)

☐

私は、ここに、下記のいかなる米国仮特許出願についても、その米国法典第35編第119条(e)項の利益を主張する。

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

私は、ここに、下記のいかなる米国出願についても、その米国法典第35編第120条に基づく利益を主張し、又米国を指定するいかなるPCT国際出願についても、その同第365条(c)に基づく利益を主張する。また、本出願の各特許請求の範囲の主題が、米国法典第35編第112条第1段に規定された態様で、先行する米国出願又はPCT国際出願に開示されていない場合においては、その先行出願の出願日と本国内出願日またはPCT国際出願日との間の期間中に入手された情報で、連邦規則法典第37編規則1.56に定義された特許性に関わる重要な情報について開示義務があることを承認する。

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Status: Patented, Pending, Abandoned)  
(現況 : 特許許可、係属中、放棄)

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Status: Patented, Pending, Abandoned)  
(現況 : 特許許可、係属中、放棄)

私は、ここに表明された私自身の知識に係わる陳述が真実であり、且つ情報と信ずることに基づく陳述が、真実であると信じられることを宣言し、さらに、故意に虚偽の陳述などを行った場合は、米国法典第18編第1001条に基づき、罰金または拘禁、若しくはその両方により処罰され、またそのような故意による虚偽の陳述は、本出願またはそれに対して発行されるいかなる特許も、その有効性に問題が生ずることを理解した上で陳述が行われたことを、ここに宣言する。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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### Japanese Language Declaration

(日本語宣言書)

委任状 : 私は本出願を審査する手続を行い、且つ米国特許商標庁との全ての業務を遂行するために、記名された発明者として、下記の弁護士及び/または弁理士を任命する。(氏名及び登録番号を記載すること)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number).

Gary M. Hoffman, Reg. No. 26,411;  
Thomas J. D'Amico, Reg. No. 28,371;  
Jon D. Grossman, Reg. No. 32,699;  
Mark J. Thronson, Reg. No. 33,082;  
Elic Oliver, Reg. No. 35,307;  
and Edwin Oh, Reg. No. 45,319

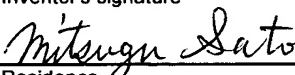
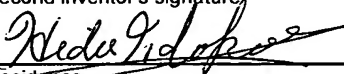
書類送付先

Send Correspondence to:  
Mark J. Thronson, Esq.  
Dickstein Shapiro Morin & Oshinsky LLP  
2101 L Street, N. W.  
Washington, D.C. 20037-1526

直通電話連絡先 : (氏名及び電話番号)

Direct Telephone Calls to: (name and telephone number)

Mark J. Thronson, Esq.  
Telephone: (202) 785-9700  
Fax: (202) 887-0689

唯一または第一発明者氏名	Full name of sole or first inventor		
	Mitsugu SATO		
発明者の署名	日付	Inventor's signature	Date
			10/9/2003
住所	Residence		
	Hitachinaka, Japan		
国籍	Citizenship		
	Japan		
郵便の宛先	Post office Address		
	c/o Hitachi High-Technologies Corporation, Naka Division, 882, Ichige, Hitachinaka-shi, Ibaraki 312-8504, Japan		
第二共同発明者がいる場合、その氏名	Full name of second joint inventor, if any		
	Hideo TODOKORO		
第二共同発明者の署名	日付	Second inventor's signature	Date
			10/14/2003
住所	Residence		
	Hinode, Japan		
国籍	Citizenship		
	Japan		
郵便の宛先	Post office Address		
	c/o Hitachi High-Technologies Corporation, Naka Division, 882, Ichige, Hitachinaka-shi, Ibaraki 312-8504, Japan		

(第三以下の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for third and subsequent joint unventors.)

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第三共同発明者がある場合、その氏名		Full name of third joint inventor, if any	
		Yoichi OSE	
第三共同発明者の署名	日付	Third inventor's signature	Date
		<i>Yoichi Ose</i>	10/10/2003
住所		Residence	
		Mito, Japan	
国籍		Citizenship	
		Japan	
郵便の宛先		Post office Address	
		c/o Hitachi High-Technologies Corporation, Naka Division, 882, Ichige, Hitachinaka-shi, Ibaraki 312-8504, Japan	
第四共同発明者がある場合、その氏名		Full name of fourth joint inventor, if any	
		Makoto EZUMI	
第四共同発明者の署名	日付	Fourth inventor's signature	Date
		<i>Makoto Ezumi</i>	10/10/2003
住所		Residence	
		Mito, Japan	
国籍		Citizenship	
		Japan	
郵便の宛先		Post office Address	
		c/o Hitachi High-Technologies Corporation, Naka Division, 882, Ichige, Hitachinaka-shi, Ibaraki 312-8504, Japan	
第五共同発明者がある場合、その氏名		Full name of fifth joint inventor, if any	
		Noriaki ARAI	
第五共同発明者の署名	日付	Fifth inventor's signature	Date
		<i>Noriaki Arai</i>	10/11/2003
住所		Residence	
		Hitachinaka, Japan	
国籍		Citizenship	
		Japan	
郵便の宛先		Post office Address	
		c/o Hitachi High-Technologies Corporation, Naka Division, 882, Ichige, Hitachinaka-shi, Ibaraki 312-8504, Japan	
第六共同発明者がある場合、その氏名		Full name of sixth joint inventor, if any	
		Takashi DOI	
第六共同発明者の署名	日付	Sixth inventor's signature	Date
		<i>Takashi Doi</i>	10/11/2003
住所		Residence	
		Hitachinaka, Japan	
国籍		Citizenship	
		Japan	
郵便の宛先		Post office Address	
		c/o Hitachi High-Technologies Corporation, Naka Division, 882, Ichige, Hitachinaka-shi, Ibaraki 312-8504, Japan	